

House Amendment 8703

PAG LIN

1 1 Amend House File 2700 as follows:
1 2 ~~#1.~~ By striking page 38, line 35, through page 39,
1 3 line 32, and inserting the following:
1 4 <Sec. _____. NEW SECTION. 692A.3B PRESENCE ON THE
1 5 REAL PROPERTY COMPRISING A CHILD CARE FACILITY OR
1 6 CHILD CARE HOME == RESTRICTION.
1 7 1. As used in this section, "child care provider"
1 8 includes a "child care center", "child care home",
1 9 "child development home", and "preschool" as those
1 10 terms are defined in section 237A.1, and a "child care
1 11 program" as defined in section 279.49 and authorized
1 12 in section 280.3A.
1 13 2. A person required to register under this
1 14 chapter who has been convicted of a criminal offense
1 15 against a minor, or an offense involving a minor that
1 16 is an aggravated offense, sexually violent offense, or
1 17 other relevant offense, shall not be knowingly present
1 18 on the real property comprising a child care provider,
1 19 except under one of the following circumstances:
1 20 a. The person is transporting a minor who is a
1 21 child of the person to or from the child care
1 22 provider.
1 23 b. The person is responding to a health or
1 24 behavioral emergency regarding a minor who is the
1 25 child of the person.
1 26 c. The person has been summoned to discuss the
1 27 developmental activity or social progress of a minor
1 28 who is a child of the person.
1 29 d. The person is voting in the building in which
1 30 the child care provider is located during the hours
1 31 designated to vote.
1 32 3. The child care provider's owner or
1 33 administrator shall provide notice to the parents,
1 34 guardians, or custodians of the children receiving
1 35 child care from the child care provider about the
1 36 presence of a person on the real property comprising
1 37 the child care provider, as authorized in accordance
1 38 with subsection 2.
1 39 4. A person required to register under this
1 40 chapter who commits a violation of this section
1 41 commits an aggravated misdemeanor.
1 42 Sec. _____. Section 709.8, unnumbered paragraph 2,
1 43 Code 2007, is amended to read as follows:
1 44 Any person who violates a provision of this section
1 45 ~~involving an act included in subsection 1 or 2 shall,~~
1 46 ~~upon conviction, be guilty of a class "C" felony. Any~~
~~1 47 person who violates a provision of this section~~
~~1 48 involving an act included in subsection 3 or 4 shall,~~
~~1 49 upon conviction, be guilty of a class "D" felony.~~
1 50 Sec. _____. Section 709.11, Code 2007, is amended to
2 1 read as follows:
2 2 709.11 ASSAULT WITH INTENT TO COMMIT SEXUAL ABUSE.
2 3 Any person who commits an assault, as defined in
2 4 section 708.1, with the intent to commit sexual abuse
2 5 is guilty of a class "C" felony if the person thereby
2 6 causes ~~serious~~ injury to any person and guilty of a
2 7 class "D" felony if the person ~~thereby causes any~~
~~2 8 person a bodily injury other than a serious does not~~
~~2 9 cause an injury to a person. The person is guilty of~~
~~2 10 an aggravated misdemeanor if no injury results.~~
2 11 Sec. _____. Section 709.12, unnumbered paragraph 1,
2 12 Code 2007, is amended to read as follows:
2 13 A person eighteen years of age or older is upon
2 14 conviction guilty of ~~an aggravated misdemeanor a class~~
~~2 15 "D" felony~~ if the person commits any of the following
2 16 acts with a child, not the person's spouse, with or
2 17 without the child's consent, for the purpose of
2 18 arousing or satisfying the sexual desires of either of
2 19 them:
2 20 Sec. _____. Section 709.14, Code 2007, is amended to
2 21 read as follows:
2 22 709.14 LASCIVIOUS CONDUCT WITH A MINOR.
2 23 1. It is unlawful for a person over eighteen years
2 24 of age who is in a position of authority over a minor

2 25 to force, persuade, or coerce a minor, with or without
2 26 consent, to disrobe or partially disrobe for the
2 27 purpose of arousing or satisfying the sexual desires
2 28 of either of them.
2 29 2. Lascivious conduct with a minor as prohibited
2 30 in subsection 1 is a serious misdemeanor class "D"
2 31 felony.>
2 32
2 33
2 34
2 35 BAUDLER of Adair
2 36 HF 2700.229 82
2 37 mg/mg/11829